



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Satoru KATAGAMI et al.

Group Art Unit: 1762

Application No.: 10/043,244

Examiner: M. B. Cleveland

Filed: January 14, 2002

Docket No.: 111373

For: APPARATUS AND METHOD FOR PRODUCING COLOR FILTERS BY
DISCHARGING MATERIAL

**SUPPLEMENTAL RESPONSE TO RESTRICTION
AND ELECTION OF SPECIES REQUIREMENT
AND RESPONSE TO NOTICE OF NON-RESPONSIVE REPLY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In further reply to the December 21, 2004 Restriction and Election of Species Requirement, and further to the February 14, 2005 Notice of Non-Responsive Reply, Applicants provisionally elect Group I, drawn to claims 1-7, 13, 14, 16-20, 23 and 25, and further elect Species A directed to color filter material. The Restriction and Election Requirement acknowledges that claims 1-2 and 15 are generic. Applicants respectfully assert that claims 3-7, 16-20, 23 and 25 are also generic with respect to Species A and B, and that claim 13 further reads on Species A. These elections are made with traverse.

The Notice of Non-Responsive Reply, copy attached, declared the January 21, 2005 Response to Restriction and Election of Species Requirement as non-responsive for lack of a signature, providing a time period of one month for reply to the Notice. This supplemental reply is filed in response to the Notice.

Applicants respectfully submit that the subject matter of all claims 1-26 is sufficiently related that a thorough search for the subject matter of any one Group of claims, and also both Species A and B for discharged material, would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and examination of the entire application could be made without serious burden.

See MPEP §803 which states that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added).

Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office. Thus, withdrawal of the Restriction and Election of Species Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Attachment:
Notice of Non-Responsive Reply

Date: February 22, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
